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Attorneys for Plaintiff Epic Games, Inc.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

**IN RE GOOGLE PLAY STORE
ANTITRUST LITIGATION**

THIS DOCUMENT RELATES TO:

Epic Games, Inc. v. Google LLC et al.,
Case No. 3:20-cv-05671-JD

Case No. 3:20-cv-05671-JD
Case No. 3:21-md-02981-JD

**DECLARATION OF MICHAEL J.
ZAKEN IN SUPPORT OF EPIC GAMES,
INC.'S ADMINISTRATIVE MOTION TO
CONSIDER WHETHER ANOTHER
PARTY'S MATERIALS SHOULD BE
SEALED**

1 I, Michael J. Zaken, declare as follows:

2 1. I am a partner at Cravath, Swaine & Moore LLP, counsel to Epic Games, Inc.
3 (“Epic”) in the above-captioned actions. I am admitted to appear before this Court *pro hac vice*.

4 2. I submit this declaration pursuant to Civil Local Rule 79-5. The contents of this
5 declaration are based on my personal knowledge.

6 3. Epic’s Opposition to Google’s and Spotify’s Administrative Motions to Seal Trial
7 Exhibits and Portions of Deposition of Sandra Alzetta (“Epic’s Opposition”) contains portions
8 that are sourced from materials that Defendants Google LLC, Google Ireland Limited, Google
9 Commerce Limited, Google Asia Pacific Pte. Limited, and Google Payment Corp. (collectively,
10 “Google”), and non-party Spotify USA Inc., have designated as “CONFIDENTIAL”, “HIGHLY
11 CONFIDENTIAL – ATTORNEYS’ EYES ONLY” or “NON-PARTY HIGHLY
12 CONFIDENTIAL – OUTSIDE COUNSEL EYES ONLY”, pursuant to the operative Protective
13 Order entered by the Court, Case No. 3:21-md-02981-JD, MDL Dkt. Nos. 238 and 249. The
14 following table shows the portions of Epic’s Opposition that contain information designated as
15 “CONFIDENTIAL”, “HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY” or “NON-
16 PARTY HIGHLY CONFIDENTIAL – OUTSIDE COUNSEL EYES ONLY”.

Document	Portion Containing Designated Information	Designating Party
Epic's Opposition to Google's and Spotify's Administrative Motions to Seal Trial Exhibits and Portions of Deposition of Sandra Alzetta ("Epic's Opposition")	Page 1, Lines 10-12 (from after the sentence ending "is very different" to "to Google")	Google and Spotify USA, Inc.
Epic's Opposition	Page 1, Lines 13-14 (from after "Spotify pays" to "when")	Google and Spotify USA, Inc
Epic's Opposition	Page 1, Line 15 (to "of Google Play Billing")	Google and Spotify USA, Inc

1 Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true
2 and correct and that I executed this declaration on November 10, 2023 in New York, New York.

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4 Michael J. Zaken
Michael J. Zaken
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